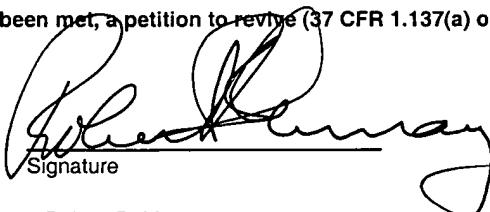


FORM PTO-1390	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 2923-757
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. Application No. (if known) <b>10/580564</b> New Application
INTERNATIONAL APPLICATION NO. PCT/EP2004/013535	INTERNATIONAL FILING DATE November 29, 2004	PRIORITY DATE CLAIMED November 28, 2003
TITLE OF INVENTION METHOD FOR PREVENTING AND TREATING DIABETES USING DG119		
APPLICANT(S) FOR DO/EO/US Matthias AUSTEN, Daria ONICHTCHOUK, Thomas SIEGMUND, Kirstin ADUROJA, Bettina RUDOLPH, Friedrich HARDER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. [ X ] This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371</p> <p>2. [ ] This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. [ X ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. [ ] The US has been elected (Article 31).</p> <p>5. [ X ] A copy of the International Application as filed (35 U.S.C. 371(c)(2))        a. [ ] is attached hereto (required only if not communicated by the International Bureau).        b. [ X ] has been communicated by the International Bureau.        c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. [ ] is attached hereto.        b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. [ ] are attached hereto (required only if not communicated by the International Bureau).        b. [ ] have been communicated by the International Bureau.        c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.        d. [ ] have not been made and will not be made.</p> <p>8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. [ X ] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. [ ] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11. TO 20. below concern other document(s) or information included:		
<p>11. [ X ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. [ X ] A preliminary amendment.</p> <p>14. [ X ] An Application Data Sheet under 37 CFR 1.76.</p> <p>15. [ ] A substitute specification.</p> <p>16. [ ] A power of attorney and/or change of address letter.</p> <p>17. [ X ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825</p> <p>18. [ ] A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. [ ] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

U.S. APPLICATION NO. (Unknown) Int'l Application No. <b>407580564</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/013535	ATTORNEY DOCKET NO. 2923-757
20. <input checked="" type="checkbox"/> Other items or information: [X] RO/101 [ ] RO/105 [X] ISA/210(ISR) [ ] IB/301 [ ] IB/304 [X] IB/306 [ ] IB 401 [ ] IB/409(IPER) [ ] IB/416 [X] Published Application WO 2005/051408			
21. The following fees are submitted:		CALCULATIONS	PTO USE ONLY
<input checked="" type="checkbox"/> Basic National Fee ..... \$300.00		\$ 300	
22. <input checked="" type="checkbox"/> Examination Fee  If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). .... \$0 All other situations ..... \$200.00		\$ 200	
23. <input checked="" type="checkbox"/> Search Fee  If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority ..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 All other situations ..... \$500.00		\$ 400	
TOTAL OF 21, 22 AND 23 =		\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.		\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate
- 100 =	/ 50 =		x 250 \$
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$	
Claims	Number Filed	Number Extra	Rate
Total Claims	57 - 20 =	37	X \$50.00 \$ 1,850
Independent Claims	8 - 3 =	5	X \$200.00 \$ 1,000
Multiple dependent claim(s) (if applicable)		+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =		\$ 3,750	
<input checked="" type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.		\$1,875	
SUBTOTAL =		\$1,875	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+\$	
TOTAL NATIONAL FEE =		\$1,875	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+\$	
TOTAL FEES ENCLOSED =		\$1,875	
		Amount to be refunded	\$
		Amount to be charged	\$

AP20 Rec'd PCT/PTO 26 MAY 2006

U.S. APPLICATION NO. (If known) New Application	INTERNATIONAL APPLICATION NO. PCT/EP2004/013535	ATTORNEY DOCKET NO. 2923-757
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ <u>1,875</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.</p>		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>		
SEND ALL CORRESPONDENCE TO:  Customer No. 06449  Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040		
 Signature <u>Robert B. Murray</u> Name <u>22,980</u> Registration Number		